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UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF
MONTANA

In Re

JOHN HENRY SCHNEIDER,

Debtor.

Case No. 14-61357

Hearing Date: February 4, 2015
Hearing Time: 10:00 a.m.
Hearing Location: Telephonic
All interested parties shall call
858-812-0972 access code
3000001 at the time specified to
participate in the preliminary
hearing

RESPONSE TO MOTION TO MODIFY STAY

Debtor responds as follows to the Motion for Relief from Automatic
Stay dated January 15, 2015 filed by Mary Wilkinson [Doc. # 26].

1. Admit paragraphs 1 and 2 with the proviso that the trial setting
has been continued without date.

2. Admit paragraph 3. This allegation shows on its face that Ms. Wilkinson will not be prejudiced by staying her action since, to the extent that her claim has any merit (which is denied), she would be entitled to payment from the Utah Medical Insurance Association policy.

3. Deny paragraph 4. The alleged procedure would only come into play if Ms. Wilkerson files a proof of claim and a party in interest objects to the claim. Under normal process, this would only occur once the trustee has substantially liquidated the estate.

4. Debtor demands proof of paragraph 5.

5. Deny paragraph 6. If the stay is lifted, then Debtor will be required to devote substantial time to the defense of the Wilkinson claim. This will detract with his ability to assist in this case. Debtor has been requested to produce and has produced thousands of pages of documents for the trustee. The Debtor is also a critical witness in an arbitration proceeding pending before the American Arbitration Association (Meridian Surgical Partners v. Schneider; Case No. 62 193 Y 139 13) which could result in a recovery of millions of dollars to the estate. To the best of counsel's understanding this matter is set to be arbitrated in the week of June 22, 2015.

6. Deny paragraph 7. Debtor suggests that the Court continue the stay in effect pending the results of the *Meridian* litigation. Counsel suggests that the Court set a status hearing at the July 28, 2015 Billings hearings.

DATED: February 2, 2015.

DYE & MOE, P.L.L.P.

/s/ Harold V. Dye
Harold V. Dye

CERTIFICATE OF SERVICE

I, the undersigned certify under penalty of perjury that on February 2, 2015, copies of the foregoing Response to Motion to Modify Stay were served electronically by ECF notice to all persons/ entities requesting special notice or otherwise entitled to same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/ entities who are not ECF registered users

/s/ Harold V. Dye
Harold V. Dye